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Notice of Allowability

Application No.

09/678,056

Examiner

Wen-Tai Lin

Applicant(s)

NEEDHAM ET AL.

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 4/21/2005 and telephone interview held on 6/21/2005.
2. ☒ The allowed claim(s) is/are 1-7, 9-11 and 13-21, renumbered as 1-19.
3. ☒ The drawings filed on 03 October 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the Issue Fee.

2. Authorization for the examiner's amendment was given in a telephone interview with Mr. Jeff Jacob, reg. no. 44798, on November 20, 2000.

3. In the claims:

Please cancel claim 12 and replace claims 1, 11, 13 and 18 to the following:

1. (currently amended) A dispatch communication network comprising:
a group of hosts of a plurality of communication hosts wherein only one host of the group at a time is allowed to transmit internet protocol (IP) communications comprising voice communications to the other hosts of the group; and
a dispatch call server configured to arbitrate IP communication among the group, wherein arbitrating comprises selecting one transmitting host, from a plurality of competing hosts from which the dispatch call server receives request transmissions, that is allowed to transmit the IP communications to the other hosts of the group after a preceding transmitting host of the group of hosts has completed its transmission, wherein the dispatch call server is configured to arbitrate communication among the group of hosts based on a number of factors comprising estimated request times, which are based on arrival times of the request transmissions and an estimated network delay corresponding to each of the request transmissions ~~normalized arrival times from one or more transmitting hosts.~~

11. (currently amended) A method of operating a dispatch communication network, the method comprising:

at a dispatch call server, receiving internet protocol (IP) messages including dispatch call data from a plurality of competing hosts over a packet network wherein only one host at a time is allowed to transmit IP messages comprising voice communications to the other hosts of the network,

at the dispatch call server, arbitrating the IP messages originating from the plurality of competing hosts, wherein arbitrating comprises selecting one transmitting host, from the plurality of competing hosts, that is allowed to transmit the IP messages comprising voice communications to the other hosts of the network after a preceding transmitting host has completed its transmission and wherein arbitrating the IP messages comprises selecting one transmitting host based on a number of factors comprising estimated transmit times, which are based on arrival times of the IP messages and an estimated network delay corresponding to each of the IP messages; and

from the dispatch call server, transmitting the dispatch call data in an IP transmission to the one or more destinations over the packet network.

13. (currently amended) The method of claim 11 wherein the estimated transmit times ~~normalized arrival times~~ are based on a host's round trip time.

18. (currently amended) A method of operating a server in a dispatch communication network, the method comprising:

receiving a request comprising voice communications to communicate from one host on the network;

determining if another request to communicate has been received from another host on the network and if another request to communicate has been received then arbitrating the requests so that the arbitrated request is transmitted to one or more receiving hosts wherein only one host at a time is allowed to transmit communications to the other hosts after a preceding transmitting host has completed its transmission;

selecting a transmitting host for communication based on a number of factors comprising estimated request times, which are based on arrival times of the requests and an estimated network delay corresponding to each of the requests;

receiving dispatch data from the selected host; and
transmitting the dispatch data to the one or more receiving hosts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wen-Tai Lin whose telephone number is (571)272-3969. The examiner can normally be reached on Monday-Friday (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571)272-3964. The fax phone numbers for the organization where this application or proceeding is assigned are as follows:


(703)872-9306 for official communications; and

(571)273-3969 for status inquires draft communication.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wen-Tai Lin

June 21, 2005


6/21/05